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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MURIEL B. CANTOR.

Adv. Pro. No. 10-04931 (SMB)

ROBERT I. CANTOR, Individually, as Personal Representative of the Estate of Sol B. Cantor and as Co-Trustee of the ROBERT I. CANTOR TRUST and the ELLEN T. PECK TRUST,

ELLEN T. PECK, Individually, as Personal Representative of the Estate of Sol B. Cantor and as Co-Trustee of the ELLEN T. PECK TRUST and the ROBERT I. CANTOR TRUST,

SANFORD J. SCHLESINGER, as Trustee of the ROBERT I. CANTOR TRUST and the ELLEN T. PECK TRUST,

WARREN COHEN,

C.C.,

L.C.,

M.C.,

WENDY WILDER,

S.W.,

and N.W.,

Defendants.

STIPULATION AND ORDER FOR SUBSTITUTION OF DEFENDANT

WHEREAS, on December 2, 2010, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned avoidance action against, *inter alia*, defendant Muriel B. Cantor; and

WHEREAS, Muriel B. Cantor died on November 15, 2013.

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Trustee and Nancy Atlas, in her capacity as the Personal Representative of the Estate of Muriel B. Cantor, as follows:

1. The Estate of Muriel B. Cantor¹ (the “Estate”), and Nancy Atlas, in her capacity as the Personal Representative of the Estate of Muriel B. Cantor (the “Defendants”), are hereby substituted into this action in place of Muriel B. Cantor, deceased, and the complaint shall be deemed so amended.

2. The Clerk of the Court is hereby directed to amend the caption to remove Muriel B. Cantor and substitute the Estate of Muriel B. Cantor and Nancy Atlas, in her capacity as the Personal Representative of the Estate of Muriel B. Cantor and, as reflected on Exhibit A to this Stipulation.

3. Counsel for the undersigned Defendants: (i) expressly represents that he has the authority to accept service of the Amended Complaint on behalf of Defendants, (ii) waives service of the summons and the Amended Complaint on behalf of Defendants, and (iii) hereby waives any defenses based on insufficiency of process or insufficiency of service of process of the summons and Amended Complaint on behalf of Defendants, and (iv) expressly agrees that the amendment noted in Paragraph 1 hereof shall not be considered an amendment under Federal Rule of Civil Procedure 15(a)(1)(A) or (B).

4. Except as expressly set forth herein, the parties to this stipulation reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

¹ The Estate of Muriel B. Cantor, Court File No. 502013CP005525XXXXMB in the Palm Beach County Circuit Court, Probate Division.

5. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: March 18, 2015

BAKER & HOSTETLER LLP

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*Attorneys for Defendants The Estate of Muriel B.
Cantor, Nancy Atlas, as Personal Representative of
the Estate of Muriel B. Cantor, Robert I. Cantor,*

Individually, as Personal Representative of the Estate of Sol B. Cantor and as Co-Trustee of the Robert I. Cantor Trust and the Ellen T. Peck Trust, Ellen T. Peck, Individually, as Personal Representative of the Estate of Sol B. Cantor and as Co-Trustee of the Ellen T. Peck Trust and the Robert I. Cantor Trust, Sanford J. Schlesinger, as Trustee of the Robert I. Cantor Trust and the Ellen T. Peck Trust, Warren Cohen, C.C., L.C., M.C., Wendy Wilder, S.W., and N.W.

SO ORDERED

Dated: March 18th, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE